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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Victor Lyons and Roger Scott,

Plaintiffs

v.

United States of America, et al.,

Defendants

Case No.: 2:17-cv-02262-JAD-NJK

**Order Adopting Report and
Recommendation and Dismissing Case**

[ECF No. 8]

Pro se plaintiffs Victor Lyons and Roger Scott allege that they suffer from post-traumatic stress disorder (PTSD) as a result of their service in the Vietnam War and that the Department of Veterans Affairs (VA) has denied them treatment for their condition.¹ Since filing their complaint, Lyons died.² After reviewing the amended complaint,³ Magistrate Judge Nancy Koppe recommends that I dismiss this entire case for lack of jurisdiction based on a failure to allege that administrative remedies have been exhausted.⁴ Judge Koppe issued her report and recommendation on April 3, 2018, making April 17, 2018, the deadline to file objections.⁵ That deadline has passed, and Scott has not objected.

“[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”⁶ Accordingly, with good cause appearing and no reason to delay, IT IS HEREBY ORDERED that Magistrate Judge Koppe’s report and recommendation [ECF No. 8]

¹ ECF No. 1-2.

² ECF No. 6 at 3, 15.

³ Magistrate Judge Koppe previously found the original complaint to be deficient in a number of ways, so she granted Scott leave to amend it to cure those deficiencies. ECF No. 4.

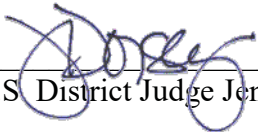
⁴ ECF No. 8 at 3.

⁵ ECF No. 8.

⁶ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 **is ACCEPTED and ADOPTED.** Plaintiffs' claims are **DISMISSED without prejudice.** The
2 **Clerk of Court** is directed to **ENTER JUDGMENT** accordingly and **CLOSE THIS CASE.**

3 Dated: April 23, 2018

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5 U.S. District Judge Jennifer A. Dorsey
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